

Message

From: Wakefield, Benjamin J. [wakefield.benjamin@epa.gov]
Sent: 4/10/2020 8:07:14 PM
To: Bohnenblust, Eric [Bohnenblust.Eric@epa.gov]; Milewski, Elizabeth [Milewski.Elizabeth@epa.gov]
CC: Mendelsohn, Mike [Mendelsohn.Mike@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]
Subject: OGC Proposed RTC to Oxitec EUP "legal comments"
Attachments: OX5034 r2c Comments on Legal Issues 03 03 2020_bjw-04-10-20.docx

Importance: High

Eric and Elizabeth,

My draft responses to "legal issues" raised in the Oxitec comments are attached.

I worked from the summary you sent attached to the below email on 03/04/20 (document filename with date 03-03-2020). If you view the document in track-changes, you can see the responses that I've added.

As you'll see, I've also deleted BPPD's proposed response to the first comment (and written a new response), added a number of bubble-comments, included a few places for BPPD to insert citations, and added comment summaries and proposed responses for a few comments that appear in the docket but that were not in your 03/03-03/04 summary.

Please note that I am simultaneously providing this document to both Chris and to BPPD, so Chris has not had an opportunity to review this. He may have further comments or edits.

Thanks.

- Ben

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From: Bohnenblust, Eric <Bohnenblust.Eric@epa.gov>
Sent: Wednesday, March 4, 2020 11:28 AM
To: Wakefield, Benjamin J. <wakefield.benjamin@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>
Cc: Milewski, Elizabeth <Milewski.Elizabeth@epa.gov>; Mendelsohn, Mike <Mendelsohn.Mike@epa.gov>
Subject: legal issues r2c with response attempts for OGC

Ben and Chris,

The attached document summarizes the comments received in relation to the OX5034 EUP that we believe pertain to legal issues and require OGC input. We currently have a draft answer for jurisdiction question.

As we discussed our current PRIA due date for the action is March 31, 2020. Let us know your possible timeline and if we need to set up a discussion, I'm happy to do that.

Thanks.

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